

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

VICTIM RIGHTS LAW CENTER, et al.,

*Plaintiffs,*

v.

MIGUEL ANGEL CARDONA, in his official  
capacity as Secretary of Education, et al.,

*Defendants,*

and

STATE OF TEXAS,

*[Proposed] Intervenor-Defendant.*

Case No. 1:20-cv-11104-WGY

**CONDITIONAL NOTICE OF APPEAL**

Pursuant to Federal Rules of Appellate Procedure 3(a)(1) and 4(a)(1)(A), the State of Texas, by and through the Attorney General of Texas, gives this notice of appeal to the United States Court of Appeals for the First Circuit from the Order entered in this action on July 28, 2021, which found that Section 106.45(b)(6)(i) of the Final Rule violated the Administrative Procedure Act. [ECF No. 183]. The notice of appeal is conditional on the State of Texas' intervention being granted.

Date: September 24, 2021.

Respectfully submitted.

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Attorney General of Texas

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/s/ Kathleen T. Hunker  
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**CERTIFICATE OF SERVICE**

I, Kenneth B. Walton, hereby certify that on September 24, 2021, a true and correct copy of the within document was served on all parties via the Electronic Case Filing System.

/s/ Kenneth B. Walton  
Kenneth B. Walton